

JASON M. FRIERSON
United States Attorney
District of Nevada
Nevada Bar No. 7709
DAVID PRIDDY (ILSBN 6313767)
Special Assistant United States Attorney
Office of Program Litigation, Office 7
Office of the General Counsel
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235
Telephone: (510) 970-4801
David.Priddy@ssa.gov
Attorneys for Defendant

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

CHRISTINA MARIE NEVILLE,

Plaintiff,

vs.

MARTIN O'MALLEY, Commissioner of
Social Security,¹

Defendant.

Civil No. 2:23-cv-02001-EJY

DEFENDANT'S FIRST AND UNOPPOSED
MOTION FOR A THIRTY-DAY EXTENSION
OF TIME TO RESPOND TO PLAINTIFF'S
MOTION FOR REVERSAL AND REMAND

Defendant, Martin O'Malley, Commissioner of Social Security (Defendant), respectfully

¹ Because Martin O'Malley became the Commissioner of Social Security on December 20, 2023, Martin O'Malley should be substituted for Kilolo Kijakazi as the defendant in this suit. Fed. R. Civ. P. 25(d). No further action need be taken to continue this suit by reason of the last sentence of section 205(g) of the Social Security Act, 42 U.S.C. § 405(g).

1 requests that the Court grant this unopposed motion to extend the time for Defendant to respond
2 to Plaintiff's Motion to Remand (Dkt. No. 11, filed on March 11, 2024), currently due on April
3 10, 2024, by 30 days, through and including May 10, 2024. Defendant further requests that all
4 subsequent deadlines be extended accordingly. This is Defendant's first request for an extension
5 of time to file a response.

6 Good cause exists for this extension. Defendant respectfully requests this additional time
7 because Defendant's counsel is experiencing an extremely heavy workload, despite due
8 diligence. In addition to this case, the undersigned is preparing the Commissioner's response
9 briefs for multiple district court cases with concurrent deadlines. Plus, the undersigned is
10 assigned to train and review the briefing prepared by an attorney recently hired by this counsel's
11 office. This case is being used as a case for such training. An additional 30 days would provide
12 the undersigned with the time to thoroughly review the new attorney's draft brief before filing.
13 For this reason, Defendant's counsel requires additional time to properly address the issues
14 raised in Plaintiff's Motion to Remand. This request is made in good faith and with no intention
15 to unduly delay the proceedings.

16 Counsel for Defendant advised counsel for Plaintiff of the need for this extension on
17 April 3, 2024. Counsel for Plaintiff confirmed that Plaintiff does not object to this request.
18
19
20
21
22
23
24

1 It is therefore requested that Defendant be granted an extension of time to respond to
2 Plaintiff's Motion to Remand, through and including May 10, 2024.

3 DATED: April 4, 2024

4 Respectfully submitted,

5 JASON M. FRIERSON
6 United States Attorney

7 By: s/ David Priddy
8 DAVID PRIDDY
9 Special Assistant United States Attorney
10 Office of Program Litigation, Office 7

11 Attorneys for Defendant

12 IT IS SO ORDERED:

13
14 
15 UNITED STATES MAGISTRATE JUDGE

16 DATED: April 5, 2024
17
18
19
20
21
22
23
24